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*Attorneys for Defendants*  
UBER TECHNOLOGIES, INC.;  
RASIER, LLC; and RASIER-CA, LLC

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

IN RE: UBER TECHNOLOGIES, INC.,  
PASSENGER SEXUAL ASSAULT  
LITIGATION

This Document Relates to:  
  
ALL ACTIONS

Case No. 3:23-md-03084-CRB

**DECLARATION OF MICHAEL B.  
SHORTNACY IN SUPPORT OF  
DEFENDANTS' STATEMENT IN  
SUPPORT OF PLAINTIFFS'  
ADMINISTRATION MOTION TO  
CONSIDER WHETHER ANOTHER  
PARTY'S MATERIAL SHOULD BE  
FILED UNDER SEAL**

Judge: Hon. Lisa J. Cisneros  
Courtroom: G – 15th Floor

**DECLARATION OF MICHAEL B. SHORTNACY**

I, Michael B. Shortnacy having personal knowledge of the following state:

1. I am a partner at the law firm of Shook, Hardy & Bacon LLP, attorneys of record for Defendants Uber Technologies, Inc., Rasier, LLC, and Rasier-CA, LLC, (collectively, “Uber”). I am a member in good standing of the Bars of the State of California, the State of New York, and the District of Columbia. I know the following facts to be true of my own knowledge, except those matters stated to be based on information and belief, and if called to testify, I could competently do so.

2. I respectfully submit this declaration in support of Uber’s Statement in Support of Plaintiffs’ Administrative Motion to Consider Whether Another Party’s Material Should Be Filed Under Seal (ECF 762).

3. I have reviewed the exhibits to the Parties’ Letter Brief for the PTO 8 dispute regarding Uber’s redactions made in productions pursuant to Pretrial Order No. 5 (ECF 761), as referenced in Plaintiffs’ Administrative Motion to Consider Whether Another Party’s Material Should Be Filed Under Seal (ECF 762).

4. The exhibits to the Parties’ Letter Brief contain confidential material and consist of documents that Uber has designated as confidential or highly confidential—attorneys’ eyes only. The exhibits (including the unredacted portions) contain private, sensitive, non-public, confidential, proprietary, and commercially sensitive information. Disclosure of these exhibits would undue harm if publicly disseminated.

5. Exhibit A is a confidential document that was originally provided to the Iowa Department of Transportation (IDOT) and was re-produced in this case pursuant to PTO 5, § 6.B. The unredacted portion of the document contains confidential, non-public information regarding information Uber’s response to a rider’s complaint of misconduct by an independent driver. Uber designated the document as confidential in its production. On information and belief, the information provided to IDOT is maintained as confidential by IDOT and has not been made public.

6. Exhibit B is a confidential document that was originally produced in the case *The People of the State of California v. Uber Technologies, Inc., et al.*, Case No. CGC-14-5430120 (SF

1 Super. Ct.) and was re-produced in this case pursuant to PTO 5, § 6.C. This document contains  
2 redactions of personal identifying information of third parties. The unredacted portion are also  
3 confidential because it contains information related to data fields collected and utilized by Uber in the  
4 course of its business. Uber designated the document as highly confidential—attorneys’ eyes-only in  
5 its production.

6 7. Exhibit C is a confidential document that was originally produced in another case and  
7 was re-produced in this case pursuant to PTO 5, § 6.C. This document, including the unredacted  
8 portions of the document, contains confidential, proprietary, and commercially sensitive information  
9 about Uber’s business systems and procedures for its North America Incident Response team. Uber  
10 designated the document as highly confidential—attorneys’ eyes-only in its production.

11 8. Exhibit D is a confidential document that was originally produced in another case and  
12 was re-produced in this case pursuant to PTO 5, § 6.C. This document contains, including the  
13 unredacted portions of the document, confidential, proprietary, and commercially sensitive  
14 information about Uber’s procedures and workflows for responding to incident reports. Uber  
15 designated the document as highly confidential—attorneys’ eyes-only in its production.

16 9. Exhibit E is a confidential document that was originally produced in another case and  
17 was re-produced in this case pursuant to PTO 5, § 6.C. This document, including the unredacted  
18 portions of the document, contains confidential communications by a rider making an incident report  
19 to Uber and confidential information related to Uber’s incident report system. Uber designated the  
20 document as highly confidential—attorneys’ eyes-only in its production.

21 10. Exhibit F is a confidential document that was originally produced in another case and  
22 was re-produced in this case pursuant to PTO 5, § 6.C. This document, including the unredacted  
23 portions of the document, contains confidential communications between a rider making an incident  
24 report to Uber and Uber’s Investigations Team and confidential information related to Uber’s incident  
25 report procedures. Uber designated the document as highly confidential—attorneys’ eyes-only in its  
26 production.

